

## Exhibit # 4

## **EXHIBIT C**



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re Terrorist Attacks on September 11, 2001

03 MDL 1570 (RCC)  
ECF Case

*This document relates to:*

*Thomas E. Burnett, Sr., et al. v. Al Baraka Investment & Development Corp., et al., Case No. 03-CV-9849 (S.D.N.Y.)*  
*Kathleen Ashton, et al. v. Al Qaeda Islamic Army, et al., Case No. 1:02-6977 (S.D.N.Y.)*  
*Federal Insurance Co., et al. v. Al Qaida, et al., Case No. 03-CV-6978 (S.D.N.Y.)*  
*Continental Casualty Co., et al. v. Al Qaeda Islamic Army, et al., Case No. 04-CV-05970-UA (S.D.N.Y.)*  
*Euro Brokers, Inc., et al. v. Al Baraka Investment and Development Corp., et al., Case No. 04-CV-07279-UA (S.D.N.Y.)*  
*New York Marine and General Insurance Co. v. Al Qaida, et al., Case No. 04-CV-6105 (S.D.N.Y.)*  
*World Trade Center Properties, LLC, et al. v. Al Baraka Investment and Development Corp., et al., Case No. 04-CV-7280 (S.D.N.Y.)*

**AFFIDAVIT OF BAKR BINLADIN**

I, Bakr Binladin, state under penalty of perjury as follows:

1. I am a citizen of the Kingdom of Saudi Arabia and currently reside in Jeddah, Saudi Arabia. I have personal knowledge of the matters stated in this affidavit.
2. I am one of 54 children of Mohammad Awad Binladin. Osama Bin Laden ("Osama") is my half-brother. We have different mothers and were raised in different households. Osama did not live in the family compound in Jeddah during his younger years, and he spent most of his adulthood outside of Saudi Arabia, so I have had only very limited contact with him. The last time I saw Osama was in 1992.

3. I attended college at the University of Miami, but I have not lived in the United States since I graduated in 1973. To the best of my recollection, I have only made two visits to the United States since 1973. I have never attended Harvard Law School, as plaintiffs allege.

4. My father formed a construction company in the 1930's which grew to become one of the largest construction and engineering companies in the Middle East. Effective in or about 1989, the company my father had founded was restructured into a limited liability company known as Mohammad Binladin Company ("MBC"). I had been appointed by royal decree as a member of the board of directors of the predecessor company, Mohammad Binladin Establishment, and I have also served on the board of directors of MBC since its inception in 1989.

5. In 1989, the Saudi Binladin Group ("SBG") was established as a limited partnership. I am, and since 1989 have been, the Chairman of SBG. SBG and MBC are separate companies with separate offices, assets and financial records. MBC owns no interest in SBG, and SBG owns no interest in MBC. MBC is not a subsidiary or branch of SBG.

6. Plaintiffs' allegation that Osama was "forced to leave the Kingdom of Saudi Arabia in 1991" is untrue. Similarly, the allegation that I "intervened" along with Sheikh Khalid Bin Mahfouz "before Prince Nayef and Prince Sultan to ensure that Osama Bin Laden's business and financial interests would remain untouched" when he was allegedly expelled from Saudi Arabia in 1991 is also false. I never intervened with Prince Nayef, Prince Sultan or anyone else in the Saudi government to assist Osama in connection with his voluntary departure from Saudi Arabia in 1991. Nor was I aware at that time of any involvement by Osama in terrorist activities of any kind.

7. On or about June 16, 1993, the shareholders of SBG and MBC each adopted resolutions amending their respective Articles of Association to remove Osama as a shareholder in the two entities. The shareholder resolutions were approved by the Saudi Ministry of Commerce and the Shariah Court, and they became final effective on or about December 15, 1993. A summary of the SBG resolution was subsequently published in an edition of the Al-Nadwa newspaper dated May 5, 1994, and a summary of the MBC resolution was subsequently published in an edition of the Um al-Qura newspaper dated June 27, 1994. Attached as Exhibits 1 and 2 are true and correct copies of the shareholder resolutions of SBG and MBC, along with certified English translations of those resolutions.

8. The value of Osama's shares in SBG and MBC, estimated to be approximately \$9.9 million, was not paid to Osama. After consultation with and at the direction of appropriate Saudi authorities, the money was placed in a trust outside Osama's control. Osama did not receive any "buy-out payment" nor has he ever had access to those funds. My family took these actions in June 1993 because Osama's increasingly vocal criticisms of the Saudi government were harmful to the companies' reputations in the Kingdom and elsewhere in the Middle East, and because Osama had refused to comply with the Saudi government's demand that he return to the Kingdom.

9. In February 1994, I issued a statement to the media on behalf of the family denouncing Osama and making clear that the family had severed ties with him. Attached as Exhibit 3 is a copy of my statement as reported in the media, along with a certified English translation of the published statement.

10. Osama has not received a penny from MBC or SBG or any of their affiliates since, at the latest, June 1993. Nor has Osama received any other form of support from MBC,

SBG or any of their affiliates since that time. I have not authorized and, indeed, have forbidden any person acting on behalf of MBC, SBG or any of their affiliates to make any payments, do any business with, or otherwise provide any support directly or indirectly to Osama or any of his companies since June 1993.

11. Plaintiffs' allegations that I visited Osama in the Sudan in 1994 and that I visited him in Afghanistan after he moved there in 1996 are false. As stated above, I have not seen him since 1992.


12. After the United States government designated Osama Bin Laden as a terrorist in August 1998, I issued a statement to the media on behalf of SBG confirming that the company had previously severed all ties with Osama. A true and accurate copy of the statement dated September 5, 1998 is attached as Exhibit 4.

13. Plaintiffs' allegation that "[t]he family dedicated 50 million Saudi Riyals to the protection of Osama" Bin Laden after September 11, 2001, and that I participated in funding this "protection," is completely false. Neither I, nor to the best of my knowledge, any other member of the Binladin family, has provided any money, or established any fund, to protect Osama or to benefit him or his terrorist activities in any way.

14. I have never made any charitable contributions to any organization I understood to be associated with al Qaeda or terrorism of any sort.

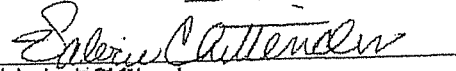
15. I have never provided or authorized anyone else to provide any money or other support to any person or organization I understood to be associated with al Qaeda or terrorism of any kind. I was appalled by the horrific events of September 11, 2001 and I reject and condemn such violence.

United Arab Emirates  
Consular District of the  
Consulate General of the  
United States of America  
at Dubai } S.S.

  
Bakr Binladin

25 JAN 2006

Sworn to me this \_\_\_\_ day of January, 2006

  
Valerie J. Cattan  
Consul of the United States of America  
Dubai, United Arab Emirates  
My Commission Expires \_\_\_\_\_

INDEFINITELY